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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/576,667

04/21/2006

Frank Uittenbogaard

NL 031271

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7590

10/15/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

RUTLEDGE, AMELIA L

ART UNIT

PAPER NUMBER

2176

MAIL DATE

DELIVERY MODE

10/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/576,667

Applicant(s)

UITTENBOGAARD, FRANK

Examiner

AMELIA RUTLEDGE

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This action is responsive to the following communications: original application, filed 04/21/2006.
2. Claims 1-11 are pending. Claims 1 and 9 are independent claims.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

Claims 1, 3, and 9 are objected to because of the following informalities: Claims 1, 3, and 9 contain numerical references to the drawing elements that are not required for the claims.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Dependent claim 11 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding dependent claim 11, claim 11 recites *A computer program product enabling a programmable device, when executing said computer program product, to function as the apparatus as defined in claim 9*. The specification does not define the

claimed computer program product, and therefore the computer program product is not limited to one of the four enumerated statutory categories of invention, instead being directed to software *per se* under the broadest reasonable interpretation of the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-9, and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Plow et al. ("Plow"), U.S. Patent No. 6,718,518 B1, issued April 2004, Application No. 09/467,504 filed December 1999.

Regarding independent claim 1, Plow teaches *a method of presenting results of searching a document, the search result comprising a hit in the document, wherein the method comprises the steps of: presenting at least one hit in a part of the document displayed on a screen*, because Plow discloses a method for displaying the results of a search operation initiated by a user, in a window displayed on a screen (col. 2, l. 40-59; Figs. 15, 16, 17).

Plow teaches *subsequently presenting at least one further hit in a further part of the document displayed on the same screen, at least one further hit not being*

comprised in said part of the document which has been displayed; because Plow discloses displaying search results in "find windows" which display search hits in different parts of the document in windows on the same screen (col. 3, l. 58-col. 4, l. 29; col. 5, l. 17-col. 6, l. 32; Figs. 9, 15, 16, 17).

Regarding dependent claim 2, *Plow teaches wherein the further part of the document excludes search results which have been presented, because Plow teaches that an additional find window can be created for additional search results (col. 5, l. 17-col. 6, l. 32; Figs. 9, 15, 16, 17).*

Regarding dependent claim 3, *Plow teaches wherein said document is one of an electronic text document, a data structure, video or audio information, because Plow teaches an electronic text document (col. 2, l. 40-59).*

Regarding dependent claim 4, *Plow teaches wherein the document is presented page-wise, and the part of the document corresponds to a page entirely displayable on the screen (Figs. 15, 16, 17).*

Regarding dependent claim 5, *Plow teaches wherein the hits are visually marked on the screen (Figs. 15, 16, 17).*

Regarding dependent claim 6, *Plow teaches a step of replacing an element of the document corresponding to a particular hit presented on the screen, or a step of replacing simultaneously all elements of the document corresponding to all hits presented on the screen, because Plow teaches a "replace" button and a "replace all button" (col. 4, l. 9-29, especially lines 25-26; Fig. 10).*

Regarding dependent claim 8, *Plow teaches wherein at least two search queries are obtained for searching the document, and the parts of the document to be displayed are correspondingly selected to present search results for one or more of the search queries;* because Plow teaches that two search queries can be entered in different find windows (col. 3, l. 58-col. 4, l. 29; col. 5, l. 17-col. 6, l. 32).

Regarding independent claim 9, *Plow teaches an apparatus for presenting results of searching a document, the search results comprising at least one hit in the document, wherein the apparatus comprises a display means coupled to a processor for enabling the apparatus: to present search results in a part of the document displayed on a screen,* because Plow discloses an apparatus for displaying the results of a search operation initiated by a user, in a window displayed on a screen (col. 2, l. 40-59; Figs. 15, 16, 17).

Plow discloses subsequently to present at least one further hit in a further part of the document displayed on the same screen, wherein the further part of the document excludes the search results which have been presented, at least one further hit not being comprised in said part of the document which has been displayed; because Plow discloses displaying search results in "find windows" which display search hits in different parts of the document in windows on the same screen (col. 3, l. 58-col. 4, l. 29; col. 5, l. 17-col. 6, l. 32; Figs. 9, 15, 16, 17). *Plow teaches that an additional find window can be created for additional search results, and Plow teaches presenting the hit from a different part of the document from the original page which has been displayed, or the other find windows* (col. 5, l. 17-col. 6, l. 32; Figs. 9, 15, 16, 17).

Regarding dependent claim 11, Plow teaches *a computer program product enabling a programmable device, when executing said computer program product, to function as the apparatus as defined in claim 9* (col. 8, l. 39-55).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Plow in view of Snyder, U.S. Patent No. 6,643,641 B1, issued November 2003.

Regarding dependent claim 6, while Plow does not explicitly teach *a step of aligning the presentation of the hits upward, downward, left or right to allow a maximum number of hits to be simultaneously shown on the screen*, Snyder teaches a search engine which presents search hits by aligning the presentation of the hits upward, downward, left, and right to allow a maximum number of hits to be displayed (Fig. 3; col. 10, l. 17-59). Snyder discloses a search engine which displays images of the web pages which are search hits, as snapshots.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the non-disruptive and usable search method and graphical user interface with find windows disclosed by Plow with the search result window having

snapshot images disclosed by Snyder, since alignment and presentation of the images and windows would allow the user to easily view the presented information, and since the search engine and interface disclosed by Snyder was applicable to a wide range of search systems (Snyder, col. 6, l. 28-43), thereby facilitating the presentation and alignment of the multiple find windows disclosed by Snyder.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Plow in view of McEvilly et al. ("McEvilly"), U.S. Pub. No. US 2003/0151621 A1, published August 2003.

Regarding dependent claim 10, while Plow does not explicitly teach a *consumer electronics product being one of a TV set, a home cinema system, a portable video player, a remote control unit or a mobile phone, the product comprising an apparatus as claimed in claim 9*, McEvilly teaches a graphical interface for playing video having a search screen and area for displaying search results (Figs. 13, 20, 21; par. 0140; 0328).

It would have been obvious and desirable for one of ordinary skill in the art at the time of the invention to combine the non-disruptive and usable search method and graphical user interface with find windows disclosed by Plow with the video search interface disclosed by McEvilly, since McEvilly teaches allowing alternate graphical user interfaces, for flexibility in application design, and operating the interface on devices including personal computers, personal video recorders, and cellular telephones (pars. 0326; 0328).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nishioka et al. U.S. Patent No. 6,654,738 B2 issued November 2003

Yano et al. U.S. Patent No. 6,381,593 B1 issued April 2002

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMELIA RUTLEDGE whose telephone number is (571)272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Amelia Rutledge/
Examiner, Art Unit 2176

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